

State Senator

John Loudon

Capitol Report 2004

INSIDE:

**The Tort
Reform Battle
Continues (p. 3)**

**Protecting
Free Speech
(p. 11)**

**Preserving
Unemployment
Fund Solvency
(p. 4)**

**Noteworthy
7th Senatorial
District Residents
(p. 5)**

**Ballot Initiative
Update (p. 9)**



From the Desk of...
Senator John Loudon

Dear Friends,

The Second Regular Session of Missouri's 92nd General Assembly was one of challenges and opportunities. Through it all, we were able to accomplish great things.

Thanks in large part to cost-cutting and revenue-growing legislation implemented in 2003, this session's budget-writing process was remarkably less challenging than in recent years. Without adding to tax burdens, lawmakers were able to appropriate more money to public schools, colleges and universities this year than in the last fiscal year. In fact K-12 and higher education are funded at greater levels than called for in the governor's plan.

The Legislature also adopted several measures strengthening families and protecting seniors. Under the Homestead Preservation Act, seniors and the disabled can obtain state tax credits to offset rising property taxes. Finally, the General Assembly passed legislation to put a measure on the ballot to amend the state's constitution to recognize that marriage in this state shall only be between a man and a woman. The voters overwhelmingly approved that measure. The governor has signed a bill enabling Medicaid coverage for children for mental illness treatment without forcing parents to relinquish custodial rights to the state. A repository for sealed, donated medicines will provide prescription drug cost assistance for seniors.

Lawmakers also adopted a number of measures designed to improve Missouri's business climate and grow the state's job base to speed the economic recovery. New laws will strengthen protection against child abduction, child pornography and sexually explicit billboards.

Please do not hesitate to call if you have any questions or comments on the items I have presented here, or on any other legislative matter of concern.

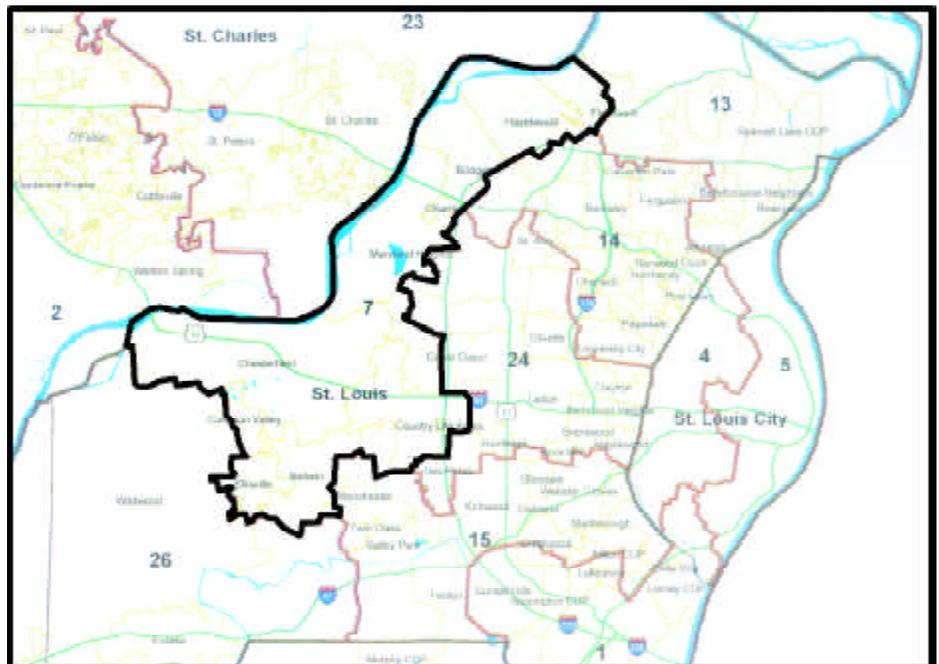
It is a privilege and an honor to represent your interests in the Missouri Senate.

Sincerely,



The 7th Senatorial District

Under our Constitution, legislative and congressional boundaries must be redrawn after each decennial census to ensure equal representation in government for all citizens. Because state senate terms last for four years, the change in boundaries will not be fully in effect until after the 2004 general election. Unlike some districts, the 7th senatorial district in which we live saw only minor boundary changes as a result of redistricting. A map showing the new district boundaries is shown at right.



Governor Vetoes Tort Reform Second Time

This Issue is Not Going Away

The House and Senate this year approved and sent to the governor HB 1304, legislation making sweeping reforms to various aspects of Missouri's civil liability, or "tort" laws.

Almost everyone I talked with viewed this bill as a major component in closing the widening gap in healthcare accessibility.

They are convinced this gulf is worsened by soaring malpractice insurance premiums driven up by frivolous lawsuits and unreasonably high jury awards.

The legislation would have reinstated damage award caps and curbed the practice of moving trials to plaintiff-friendly jurisdictions.

As feared, the governor vetoed the tort reform measure.

This year, the governor said he would have considered signing the legislation if the General Assembly had also offered legislation regulating

malpractice insurance companies. However, throughout the course of the session, just such a companion bill was in the works, although passage was tied to the tort reform measure.

This bill, House Bill 1305, would have established a procedure for medical malpractice

insurers to enact premium rate changes and also prohibited insurance companies providing malpractice insurance to health care providers from increasing premium charges more than \$1,000 without 60 days' prior notice to the insured.

The key to keeping doctors in Missouri lies in solid tort reform legislation. The state of our civil courts is driving employers and doctors either out of

business or out of the state. Hopefully, a new Governor will take an active interest in affordable, accessible, health care, and be willing to sign true tort reform legislation.



"White Coat Day" saw the Capitol filled with doctors concerned about rising malpractice insurance costs.

One Fight to Keep Neighborhoods Clean and Strong Continues

As part of a continuing effort begun last year, the 7th Senatorial office drafted legislation this year extending the sunset date of a state statute governing the removal of abandoned vehicles. Last year, because of one really bad neighbor, we worked to successfully shepherd into state law a bill (SB 621) allowing the city of Hazelwood to remove derelict, or essentially abandoned cars, trucks and trailers considered public nuisances. The cost of the nuisance removal and disposal would then be assessed to the property owner. This bill, which was originally slated to expire this August, sought to provide relief for the neighbors of a specific site in Hazelwood which is literally littered, ostensibly out of spite, with abandoned cars and other junk.

We got this law on the books thinking a year would be enough time to clean up this area. The absentee property owner, however, has tied this up in the courts such that we were going to run out of time before the law expired.

This legislation (SB 1114) extended the expiration date of the nuisance statute (§ 82.291) to August of 2005.

Naturally, everyone would rather have the mess already cleaned up rather than having to keep extending this customized nuisance law. But one bad neighbor left us no choice but to take action to return this yard to a condition compatible with the community.



When citizens or communities need help, it is the job of the legislators to respond.

Loudon's Unemployment Compensation Solvency Act Becomes Law

Legislation Sustains State Benefit Program; Includes Historic Worker Benefit Increase

The legislature, in the true spirit of bipartisanship, enacted legislation that will stabilize and return to solvency the state's bankrupt unemployment compensation fund.

Financed by employers, Missouri's unemployment insurance fund is in debt to the federal government and has been for more than a year.

Managed as it is now, the unemployment compensation fund is approximately \$290 million in the red, and that debt load is growing by about \$1 million each and every day. It's imperative that we pay this off or Missouri loses out on valuable tax credits.

My suggested reforms, originally introduced in SB 737 and subsequently rolled into HB 1268, are designed to maintain unemployment benefit availability while at the same time lowering the program's costs to employers.

Unemployment benefits are fully warranted by the vast majority of those receiving them. This bill merely implements a set of checks and balances to keep claim fraud in check and pull the unemployment compensation fund out of the red and into the black.

This legislation creates a board empowered to is-

sue up to \$450 million in bonds to pay off the federal debt as bond interest will be well below the nearly 6 percent interest we're paying on the federal loans.

The wages subject to unemployment tax will be increased and surcharges will be added to top rate payers for three years to rebuild the state fund.

The Unemployment Insurance (UI) program was designed as a safety net for people unemployed through no fault of their own: the laid off worker. These funds have also been shown to help stabilize communities in tough times. By making it tougher for fired workers, such as those fired for illegal drug use, to cheat the system, we hope to return Missouri's fund to that ideal operating principle.

The bill also sets in place an historic maximum weekly benefit increase – beginning with \$250 for 2004-2005 and capped at \$320 by 2010. This is the first weekly benefit increase in five years.

The overarching goal that this bill accomplishes is to stabilize the state fund, and ensure that unemployment benefits are available to those genuinely in need of them.



Senator John Loudon confers with Senator Charlie Shields in the chamber of the Missouri Senate.

Why Fight to Preserve the Sanctity of Marriage?

Overactive Judiciaries "Forced" Voter Action

I was pleased to help advance SJR 29, a joint resolution that allowed Missouri citizens to amend Missouri's constitution to specify that marriages only between a man and a woman are recognized by the state.

I was equally pleased to see Missouri voters endorse the measure this August with an overwhelming majority.

The federal government's 1996 Defense of Marriage Act affirms that states are not required to recognize a same-sex marriage performed in another state. Thereafter, a number of states passed laws barring state recognition of gay marriage as well as the recognition of a same-sex marriage performed in another state.

Missouri lawmakers enacted a statute defining marriage as a union between a man and a woman – regardless of where the marriage is performed.

However, a small group of activists, unable to get a single legislative body to give them what they want, have found trendy judges to rule one of these state statutes to be unconstitutional. Placing the marriage language in the constitution puts the definition of marriage beyond the reach of state courts bent on making laws.

Missourians have voiced their support in having our state constitution reflect the common sense traditional view that the state of Missouri will only recognize a marriage between a man and a woman.

Leadership Academy Hits the 10-Year Mark

Senator Loudon and State Representative Neal St. Onge again this year hosted the Leadership Academy, an annual educational forum to help young students learn about civics, governance and the community.

The 2004-2005 class started the new year just as the 2003-2004 class. After the September orientation, Senator Loudon next led the group on tours of the St. Louis County Board of Elections Commissions, where election watchdogs explained their role. The group also participated in a mock trial at the St. Louis County Courthouse led by Judge Ellen Levy Siwak.

The group then conducted a mock legislative session as representatives and senators in preparation for the Jefferson City trip.

Every year on President's Day, the Leadership Academy goes to Jefferson City, where the group tours the Capitol complex, including the House and Senate chambers. Group pictures, like the one shown here, mark the occasion.

"I am always excited about hosting the Leadership Academy," Senator Loudon said. "My hope is that these bright young boys and girls of today will be better prepared young men and women leading us in the future."



The 2003-2004 Leadership Academy class in the Missouri Senate Chamber

Gubernatorial Appointments from the 7th Senatorial District

Since my election to the Missouri Senate in 2000, I have been honored to sponsor the gubernatorial appointments of the following 7th District residents:

- Andrea J. Lawrence** – Missouri Real Estate Commission
- Roslyn Morgan** – Consolidated Health Care Plan Board of Trustees
- Susan K. Orton** – Missouri Head Injury Advisory Council
- Eddie F. Brown** – Unmarked Human Burial Consultation Commission
- Jerry E. Adams** – Missouri State Water Patrol
- Josephine L. Emerick** – Board of Architects, Professional Engineers and Professional Land Surveyors
- Sammy Lee Page** – Commission for the Missouri Senior Prescription Program
- David J. Heath** – Missouri Training and Employment Council
- Rev. Robert Charles Scott** – Missouri Commission on Human Rights
- LeRoy J. Kraemer** – State Board of Mediation
- Daniel J. Betzler** – Board for Certification of Interpreters
- Theodore Wenzlick** – Missouri Community Service Commission
- John S. Gaal** – Missouri Training and Employment Council
- Melba R. Hale** – Advisory Commission for Professional Physical Therapists
- Jeanne R. Rhoades** – Advisory Commission for Clinical Perfusionists
- Gretchen Davis** – Missouri Community Service Commission
- Dr. Jacquelyn B. Garrett** – State Board of Registration for the Healing Arts
- Jane Klieve** – Missouri Housing Development Commission
- Douglas Morgan** – Missouri State Public Employees Deferred Compensation Commission
- Jeffrey Siria** – Advisory Committee on Lead Poisoning
- Robert Thomson** – Missouri Community Service Commission
- Carol Bergmann** – Board of Examiners for Hearing Instruments Specialists



Senator Loudon, standing, shown here with Sen. Michael Gibbons, seated, was honored to introduce several valued and dedicated St. Louis County citizens to the Senate Gubernatorial Appointments Committee this year.

- Gary B. O'Neal** – Petroleum Storage Tank Insurance Fund
 - Eric J. Aubert, DMD** – Missouri Dental Board
 - Other Appointments (Not Gubernatorial)
 - Tom Weber** – Missouri Rail Passenger Advisory Committee
 - Cathy Meyer** – State Advisory Panel for Special Education
- The governor makes appointments to state boards and commissions with the advice and consent of the Senate. The Senate Committee on Gubernatorial Appointments – upon which I serve – usually meets weekly during the legislative session. Their sponsoring senator presents each appointee to the committee.

Once the committee has approved appointments, the chairman reports on the committee's action to the floor for consideration by the full Senate.

Appointees must be approved by the committee and confirmed by the full Senate before taking the position on the board or the committee.

If you are interested in joining your neighbors in public service, I welcome you to look at the state's Boards and Commissions website (<http://go.missouri.gov/boards>) or contact my office at (573) 751-9763.

Noteworthy Passed, Failed and Vetoed Legislation

-Passed-

Transportation - SJR 44, if approved by voters this November, will gradually suspend current “diversion” of various state road funds from the state’s transportation department to other state agencies and provide funding for these other agencies to recover otherwise lost revenues.

Transportation – SB 855, SB 958, SJR 31, SJR 38, if approved by voters this November, will allow the state to convert certain highways into toll roads in order to raise additional road maintenance and construction funding.

Billboards - SB 870 prohibits sexually explicit billboards within one mile of state highways and limits the graphic content of on-premise signs visible from state highways.

Business - HB 978 creates the Small Business Regulatory Fairness Board to serve as liaison between governmental agencies and small business owners.

Child Protection – HB 1055 increases punishment for possession of child pornography to a class D felony.

Child Protection – HB 1487 expands crime of kidnapping to taking and/or holding a child under 14 without parental consent.

College Savings – HB 959 allows an income tax deduction of up to \$8,000 per taxpayer for annual contributions made to college savings programs.

Corrections – HB 1215 makes it a Class D felony for those civilly committed as sexual predators to escape.

Domestic Relations – SJR 29 asks voters to amend the state constitution to state that only a marriage between a man and a woman will be recognized in Missouri.

Economic Development – SB 1155 expands agribusiness opportunities; establishes enterprise zones, workforce training partnerships, issues infrastructure bonds.

Education – SB 1080 aligns Missouri Assessment Program (MAP) school testing standards with federal standards.

Foster Care – HB 1453/SB 762 requires Division of Family Services to provide standards and training for prospective foster parents and makes other foster care and protective services reforms.

Free Speech – SB 807 prohibits suits against citizens to silence public criticism and suppress petitioning activities.

Government Efficiency - SB 1099 establishes a system of classifications for state-managed tax credit programs and sets out minimum requirements for each classification.

Identity Theft – HB 916 revises identity theft laws and creates crime of trafficking in stolen identities.

Mental Health - SB 1003 enables Medicaid coverage for children for mental illness treatment without forcing parents to relinquish custodial rights to the state.

Open Records – SB 1020 revises “sunshine” laws by placing a maximum per-page fee for record copying and imposing stricter criteria and higher amounts for fines levied against public entities violating sunshine rules.

Prescription Drugs - SB 1160 establishes a state managed repository for donations of sealed prescription drugs for dispersal to seniors and the disabled.

Property Taxes – SB 730 allows senior citizens and disabled persons to obtain a credit against property tax increases of 5 percent or more.

Teacher Pay – SB 968 provides for the partial payment of employment contracts for teachers laid off under certain instances.

Tolerance – HB 1074 makes it a crime to burn a cross for the purpose of intimidating or harassing any individual or group.

Unemployment Compensation – HB 1268 designed to stabilize and return to solvency the state’s bankrupt unemployment compensation fund is a step away from becoming law.

Veterans – SB 1365 creates the Veterans’ Historical Education Trust Fund and encourages the development of other veterans’ programs.

-Failed-

Abortion - HB 1339/SB 738 makes transporting a minor across state lines to obtain an abortion without informed consent, would provide parents with a civil cause of action.

Budgeting – SJR 41 asks voters to amend the constitution to prohibit governors from submitting budgets based on tax revenue not yet approved by voters and lawmakers.

Business – SB 736 prevents cities, counties and the state from imposing project labor agreements and PLA-type labor requirements as conditions for building public works projects.

Concealed Guns – HB 1565 addresses Supreme Court’s problem with funding mechanism for 2003s conceal-and-carry law.

Education – SB 707 repeals the state’s gambling loss limits and increasing taxes on gaming boat revenues, with the funds from both actions allocated to school funding.

Helmet Law – HB 1109 would allow motorcycle riders over 21 to not wear a helmet.

(Continued Next Page)

Law Enforcement – SB 1144 revises the procedures for obtaining license plates and placards enabling use of handicapped parking spaces and strengthens penalties for failing to follow these procedures.

Life Sciences - SB 1221, 1227 funds through bond sales and identifies \$372 million worth of primarily life sciences-related building projects at public two- and four-year schools.

Malpractice Insurance – HB 1305 a companion bill to tort reform (HB 1304) curbing rising malpractice insurance premiums.

Media Piracy – SB 1023 makes it a crime to use audio-visual recording devices in a movie theater.

Prescription Drugs – SB 1371 provides prescription drug coverage for those whose income levels had qualified them for the current state cost assistance plan, but will be considered too high for eligibility in the pending federal plan.

Seat Belts – HB 946 allows law enforcement officers to stop motorists not wearing seat belts.

Taxation – HB 969 restricts corporations from transferring income derived in Missouri as licensing fees to parent companies based in states with little or no income tax.

Telemarketing – SB 1116 allows addition of cell phone numbers to the state's No Call list.

Workers' Comp. – SB 856 allows payment for an injury only if incurred in an on-the-job accident that was the dominant factor in causing the condition, limits benefits for pre-existing conditions exacerbated in work-related injuries and voids claims on injuries occurring en route to work.

Bills Passed by the Legislature, but Vetoed by the Governor:

Mediation – SB 1081 creates system for homeowner/building contractors disputes before going to court.

Tort Reform – HB 1304 curbs "venue shopping," reinstates non-economic caps to moderate civil jury damage awards.

Unions – HCR 5 would rescind a provision in Governor Holden's 2001 executive order expanding collective bargaining rights allowing organized labor to collect "service fees" from non-union state workers in groups represented by unions.

Missouri's 2004-2005 Budget at a Glance

The legislature approved an \$18.87 billion spending plan funding virtually all the services the state provided for Missourians in the previous fiscal year.

The budget was completed ahead of schedule this year. More importantly, despite doom and gloom predictions, this was accomplished without new or increased taxes. The legislature appropriated more money for schools than the governor's plan, which proposed to rely on a number of business and income tax hikes.

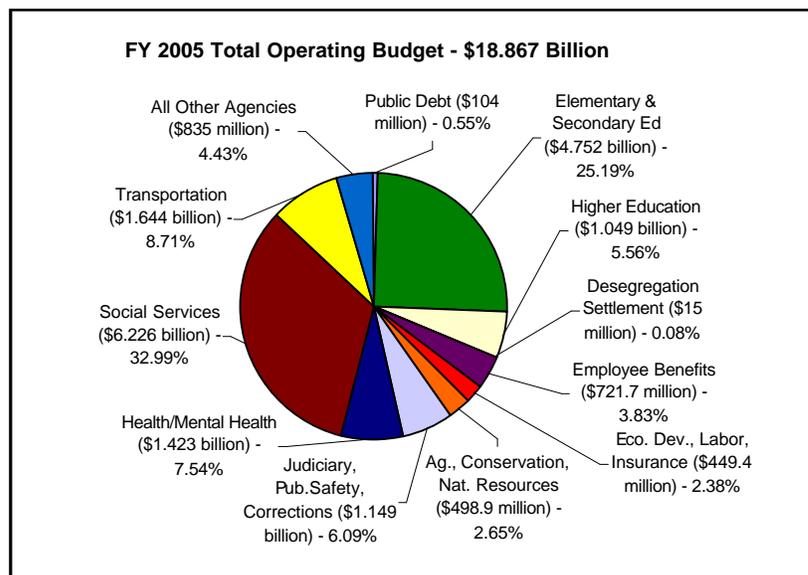
The approved budget allocates \$4.767 billion for elementary and secondary education – representing a \$200 million increase for public schools. State colleges and universities receive \$1.049 billion – an increase of more than \$20 million

over what was budgeted for the current fiscal year. Lawmakers managed to fund several other budget categories at higher levels, including adoption tax credits and other social services, which stand to receive a \$660 million increase.

The accompanying graphics depict department-level information in the 2005 budget.

Accomplishing all of this is noteworthy, considering that everyone except House Budget Chairman Carl Bearden predicted huge budget shortfalls last

fall. The Democratic governor predicted nearly a \$1 billion shortfall.



Senator Loudon's Legislative Highlights - 2004

Senate Bills Sponsored by Loudon That Were Passed Into Law

SB 0807 – Authorizes special motion to dismiss in Strategic Litigation Against Public Participation (SLAPP). (Full story on Page 11.)

SB 1078 – Modifies the criteria used for issuing extraordinary dividends by certain insurance holding companies.

SB 1114 – Extends the expiration date of a section relating to removal of nuisances. (Full story on Page 3.)

SB 1188 – Modifies the law regarding annuity contracts.

SB 1235 – Modifies insurance laws with respect to reinsurance and liquidation.

SB 1299 – Raises the liability limits on residential insurance policies issued by the FAIR plan from \$100,000 to \$200,000.

House Bills Handled by Loudon That Were Passed Into Law

HB 1114 – Creates special license plates for relatives of firefighters and peace officers killed or injured in line of duty.

HB 1193 – Revises procedures and requirements for notaries public.

HB 1207 – Modifies procedures for formation of certain levee districts.

Contact Your Senate Office:



We are always ready to answer any questions you may have concerning the Missouri Legislature. Feel free to call the Capitol office at (573) 751-9763 or the district office at

(314) 895-0007 if we can be of service.

Also, visit us on the web at: www.senate.state.mo.us/loudon

HB 1268 – Designed to stabilize and return to solvency the state's bankrupt unemployment compensation fund. (Full story on Page 4.)

Senator Loudon's Bills Amended Onto Other Legislation

HB 795 (SB 1298) – Exempts certain transactions with interstate compact agencies from tax.

SB 1233 (SB 1115) – Establishes new registration option procedures for street rod and custom vehicle hobbyists.

HB 1453 (SB 806) – Doubles adoption tax credit cap to \$4 million. (Full story on page 9.)



Senator Loudon confers with Senate Majority Leader and fellow Westminster College alumnus Michael R. Gibbons as they prepare to debate a bill on the Senate floor.

Legislature Helps Ease Adoption Process *Adoption Tax Credit Cap Doubled*

A sound investment in our future, the Missouri Special Needs Adoption Tax Credit program promotes the important role of government: protecting orphans by getting them into loving homes. Special needs children often have physical, mental, or emotional learning delays or disabilities that make them harder to place. These children need the support and guidance of a permanent home, a family to call their own, and the love that committed parents can provide.

This adoption tax credit is necessary because adopting a child is very expensive, especially when adopting a child with special needs who may very well need additional and ongoing medical attention and/or therapy. Adoption costs can run to \$50,000 or higher; an expense far greater than the maximum available tax credit of \$10,000. The tax credit can be applied to offset the tremendous travel and legal expenses inherent in some adoptions.

I was pleased to help expand the adoption tax credit program this year. The legislature approved this measure as an amendment to a sweeping foster care reform bill. A version of my provision doubles the adoption tax credit cap to \$4 million, and stipulates that half of these credits are to go towards enabling in-state adoptions, and half to enable the adoption of children in foreign countries.

The children that benefit from this program become Missourians who will grow, develop and learn to help make our state's future brighter, stronger and more diverse.

November Ballot Update

In addition to having the right to vote for individual candidates from United States President to County Counsel, citizens of St. Louis County will also vote on one State Constitutional Amendment and one County Special Charter Amendment.

The State Constitutional Amendment will end the diversion of gas and vehicle sales taxes to non-transportation related services. The diversion of this money to non-transportation related services has put unnecessary

pressure on the state's growing infrastructure. This amendment redirects as much as \$1.2 million over the next four years back to the Department of Transportation. Senator Loudon personally endorses this Constitutional Amendment.

The County Special Charter Amendment would prohibit the county from appropriating money for future sports complexes without first receiving the consent of the voters. These issues warrant the citizens' educated vote.



on Homeowners Insurance and Weather-related Claims

Missouri over the past few years has experienced some of the worst storm seasons in the state's history. In response to questions about homeowner's rights, this question-and-answer section should help clear up the confusion about weather-related claims. I hope it is helpful, and please, if you have any further questions, please contact my office at 573-751-9763 or the Department of Insurance at 573-526-4845.

Question: "I have heard of people being with the same insurance company for 20 years and then getting coverage dropped after one weather-related claim – is this possible?"

Answer: To my knowledge the insured individuals or families have always had their claims paid (to not do so would be a breach of contract) but we know that some insurance companies have chosen not to renew them upon the policy's expiration.

Question: "How can a company choose not to renew me after only one claim?"

Answer: It is very rare in the insurance industry to not renew a policyholder after only one claim, but I have heard it does happen. The Department of Insurance reports 254 complaints over a two-year span from homeowners losing their coverage. The report does not list if the claim was weather related or if the policy-

holder had more than one claim. Because of the unusually bad weather over the past few years, some companies have had to exit the market completely and therefore drop all coverage on all policyholders upon expiration.

Question: "How can I prevent this from happening?"

Answer: Homeowner policies are typically a one-year contract. At the end of the year both parties have an option to discontinue the relationship. One can non-renew with the company upon finding a better rate, and the company does not have to offer the same contract or any contract at all.

To my knowledge, few people ever demand a long-term contract for their homeowners insurance.

Vaccine Initiative Shows Promise

Our Story

In 1995, I was in my first year in the Legislature when our first child was born, daughter Lyda. The doctor asked us if we would be interested in putting our child in a clinical trial testing the safety and efficacy of a new vaccine protocol. My wife Gina, a Ph.D. whose grandfather was a past president of the Missouri Medical Society, was quick to agree.

We made the one hour round trip once a month that involved our new baby receiving various vaccines and being monitored for blood levels, reactions, etc. At one visit, our child received a polio vaccine before we were told what it was and what the potential side-effects were. We learned that it was live polio virus. We should not worry, we were told, because only about six kids per year actually contract polio from the vaccine.

My wife immediately went to work researching. She discovered that the Centers for Disease Control (CDC) would change the protocol almost immediately, that other clinical trials had determined that it was no longer necessary to give babies "live" polio virus, that the attenuated ("killed") virus given over two courses would work just fine.

Our national vaccine programs have done amazing things for public health. Studies like these have helped us improve not just "what" vaccines are given, but in what "manner." For instance, through much research about the mercury controversy I have learned that if a vaccine is shipped and delivered in a "single-dose vial" it needs no mercury or any preservative at all. It is only when the economy-sized, multi-dose

container is used that preservative needs to be included. We are told to avoid eating fish that may be tainted with mercury yet the government mandated vaccine program in effect, mandates we give large doses of it to our children.

The vaccine industry is resisting moving away from the use of mercury. However, several compaines have removed mercury from their vaccinations. A bill sponsored by a medical doctor legislator which would ban all mercury in state mandated vaccines by 2006 easily cleared the Missouri House this year and was approved by every medical professional in that chamber. It was blocked in the Senate due to a filibuster. Why? What choice do parents now have?

Missouri as compared to the other 50 states does a fine job with its over all vaccine program. We are better with some vaccines than others, but as the enclosed chart reveals, DTaP is one program where we do very well. Generally, a 90% or better vaccination rate over a general population is an "A" grade. A vaccine program is a sacred compact. If the government is going to force something upon our children, it had better be right or at least give people a voice. How should a state do this? Missouri only allows two exceptions, religion and health. We used to have a philosophical exemption, but bucking the national trend, the late Governor Mel Carnahan and the democratic Legislature eliminated it. As the DTaP chart indicates, a significant and growing number of states are moving the other way and recognizing the funda-

mental role of parents in light of the mercury scare and other vaccine controversies. When parents learn they can TRUST the mandated vaccine guidelines imposed by our government, total vaccination rates rise. This is my goal.

We can do better.

The states below, with the exception of Missouri, allow a philosophical exemption. Each state's vaccination rate is shown.	
	DTP / DT / DtaP vaccination rate
Michigan	99.00%
Rhode Island	98.20%
Arizona	98.00%
Vermont	97.10%
Missouri	97.10%
Wisconsin	96.60%
Oklahoma	96.50%
California	96.30%
New Mexico	96.00%
Utah	95.80%
Louisiana	95.60%
Idaho	95.10%
Ohio	95.00%
Washington	95.00%
Ave. Percent:	96.52%
Maine	88.00%
Minnesota	No data
North Dakota	No data
Colorado	No data

STLtoday.com's online reader poll shows 73% of the respondents agreed that parents should have the final say about which vaccinations their kids receive.



This CDC chart proves that factors other than vaccines have been the cause of the great reductions in infectious disease in the 20th century. The line on the graph had already bottomed out before the vaccines we use today were invented.

Legislature Fights to Preserve Right of Free Speech

“SLAPP” Bill Shields Citizens From Retribution for Public Activism

The General Assembly this year passed into law legislation by Sen. Loudon that protects private citizens against public officials who try to use the courts to silence public criticism or suppress citizen petitions. These lawsuits, called SLAPP (Strategic Litigation Against Public Participation), are an unjust threat to the rights of citizens to express their opinions about government actions.

The measure, SB 807, provides for swift legal proceedings to dismiss SLAPP lawsuits launched by members of local or state governing bodies. The legislation also allows citizens who have successfully warded off SLAPP lawsuits to recover attorney fees and court costs.

Last year, a judge dismissed a libel lawsuit filed by a former mayor in the 7th Senatorial District. The mayor filed the lawsuit claiming libel against residents who had criticized the mayor. Despite the fact that this lawsuit was thrown out, the citizens who thought their public speech was the right thing to do found themselves giving testimony and hiring lawyers.

Political speech and the right to petition for redress of grievances are fundamental rights of all citizens enumerated by the United States Constitution. The appropriate response to criticism is an explanation, not a lawsuit to block or chill citizens expressing their opinions.

Even with the passage of the SLAPP legislation, a Chesterfield citizen was recently sued for voicing her objections to zoning changes. Sen. Loudon has indicated that he will introduce additional legislation to expand the protections offered to citizens when they speak on public issues outside of public meetings.

United States Constitution - Bill of Rights

Amendment I – The Five Freedoms

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”



Left, Senator Loudon presenting a proclamation to Calvin Lee, D.D.S., honoring his 50 years as a practicing dentist.



Above, Senator Loudon presents a resolution to the Chaminade State High School Golf Champions. Representing the team at the Capitol were Justin Bardgett, Justin Manion, Zach Pranger and Coach Jim Prag.

Senator Loudon Sponsors Bill of Rights Essay Contest

During the 2002 legislative session, Senator Harry Kennedy (D-St. Louis) joined with Senator Loudon and passed legislation designating December 15 as the Bill of Rights Day in Missouri. This year, the Missouri Press Association, the Missouri Broadcasters Association and the Missouri Bar Association joined me in sponsoring a Bill of Rights Essay Contest for all high school juniors and seniors in the 7th Senatorial District.

Entries had to be between 350 to 500 words in length, and answer the question: "Which Amendment of the Bill of Rights is the Most Important and Why?"

The first place essay writer, Samia Javed from Parkway West, won a \$500 scholarship; the second place

writer, Janet Brookman, a home-schooled student, received a \$250 scholarship; third place was shared by Greg Ayers, Marquette High School, and Ben Cross, Westminster Christian Academy, and each received a \$100 scholarship.

In this time of

political strife both at home and abroad, it is especially important to remember the principles we all value and that make this country so unique. These rights are the foundation of this great country.



The winners and honorable mentions of the first Bill of Rights Day essay contest.

Senator John Loudon

Room 332, State Capitol Bldg.
Jefferson City, MO 65101

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